

ASSIGNED

AMENDED

Serial No.

46913

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. MAY 16 1983

Returned to applicant for correction. MAY 27 1983

Corrected application filed. JUN 8 1983 Map filed. JUL 20 1983

The applicant Karl W. Berg  
Box 160 of Round Mountain, via Austin,  
Street and No. or P.O. Box No. City or Town  
Nevada 89045 hereby make<sup>S</sup> application for permission to change the  
State and Zip Code No.  
 manner of use of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under 37119  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.40 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation & domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point SE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Sec. 29, T 11 N, R 43 E,  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.  
MDB&M at a point from which the S $\frac{1}{4}$  corner bears S 67° 18' 38" W a distance  
of 1445.54 feet.

- The existing permitted point of diversion is located within -----  
If point of diversion is not changed, do not answer.

- Proposed place of use Same - less 21.28 acres being removed from the following;  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
portions of the, E $\frac{1}{2}$  NW $\frac{1}{4}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 29 T11N., R.43E MDB&M.  
all north of Highway 376.

- Existing place of use See exhibit "A" attached  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
Total area - 214 acres

- Use will be from Jan 1st to Dec. 31st of each year.  
Month and Day Month and Day
- Use was permitted from Jan 1st to Dec. 31st of each year.  
Month and Day Month and Day

- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Complete designed water system to  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.  
service 76 - 1 acre lots known as Shoshone Estates.

- Estimated cost of works \$35,000

- Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use. 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

76 - 1 acre subdivision units

By Lowell D. Emery, SWRS 536  
s/Lowell D. Emery  
P. O. Box 84  
Fallon, Nev. 89406

Compared js/tls dcB/br

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use of a portion of the waters of an underground source as heretofore granted under Permit 37119 is issued subject to the terms and conditions imposed in said Permit 37119 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and permit 46914 shall not exceed 27.74 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4 cubic feet per second, but not to exceed 27.74 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 16, 1984

Proof of completion of work shall be filed before May 16, 1984

Application of water to beneficial use shall be made on or before April 16, 1986

Proof of the application of water to beneficial use shall be filed on or before May 16, 1986

Map in support of proof of beneficial use shall be filed on or before May 16, 1986

Completion of work filed JUL 8 1987

IN TESTIMONY WHEREOF, I, PETER G. MORROS,

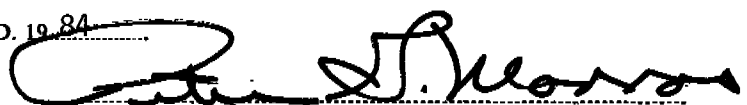
Proof of beneficial use filed MAY 21 1996

State Engineer of Nevada, have hereunto set my hand and the seal of

my office, this 16th day of APRIL

Cultural map filed \_\_\_\_\_

Certificate No. 14643 Issued JUL 24 1997 A.D. 19 84



State Engineer

## 8. Continued

Exhibit "A" Karl W. Berg

- Parcel #1: All that portion of the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$ , Section 29, Township 11 North, Range 43 East, MDB&M, lying North of Nevada State Highway "8A", except the Westerly 660.5 feet.
- Parcel #2:  $NE\frac{1}{4}$  of  $SE\frac{1}{4}$ , Section 29, Township 11 North, Range 43 East, MDB&M.
- Parcel #3:  $E\frac{1}{2}$  of  $E\frac{1}{2}$  of  $SE\frac{1}{4}$  of  $SW\frac{1}{4}$ , Section 29, Township 11 North, Range 43 East, MDB&M.
- Parcel #4: All that portion of the  $W\frac{1}{2}$  of  $SE\frac{1}{4}$ , Section 29, Township 11 North, Range 43 East, MDB&M, lying Southerly of the Nevada State Highway "8A".
- Parcel #5:  $SE\frac{1}{4}$  of  $SE\frac{1}{4}$ , Section 29, Township 11 North, Range 43 East, MDB&M, except that portion within the boundary of Nevada State Highway "8A".
- Parcel #6:  $NW\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 32, Township 11 North, Range 43 East, MDB&M, except the West 258 feet.
- Parcel #7:  $NE\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 32, Township 11 North, Range 43 East, MDB&M, except that portion within the boundary of Nevada State Highway "8A".

